

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

|                            |   |          |
|----------------------------|---|----------|
| RATE ADJUSTMENT OF WESTERN | ) | CASE NO. |
| KENTUCKY GAS COMPANY       | ) | 90-013   |

O R D E R

This matter arising upon petition of Western Kentucky Gas Company ("Western Kentucky") filed May 30, 1990 pursuant to 807 KAR 5:001, Section 7, for confidential protection of a valuation study and purchase price allocation prepared for Western Kentucky, and it appearing to this Commission as follows: In making the study, Ernst & Young represented to Western Kentucky that it had employed a methodology which it believes is unique and constitutes highly valuable proprietary information. As a consequence, Ernst & Young required Atmos Energy Corporation, the parent of Western Kentucky, to agree not to disclose the methodology to any third party.

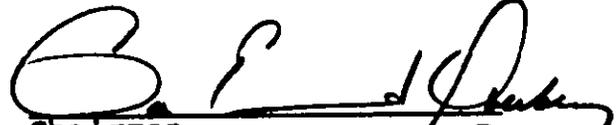
While the information sought to be protected in this case may consist of a unique method of study, disclosure of this method of study would not be detrimental to Western Kentucky. Only Ernst & Young could suffer injury if its competitors were able to acquire the information. As Ernst & Young is the real party in interest, as contemplated by CR 17.01, et. seq., the Commission finds the petition of Western Kentucky should be denied.

This Commission being otherwise sufficiently advised,

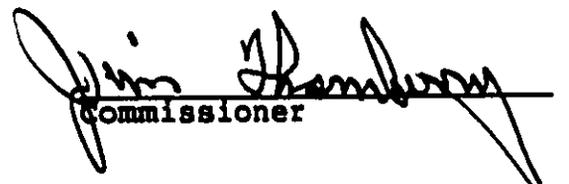
IT IS ORDERED that the petition for confidential treatment of the evaluation study prepared by Ernst & Young be and it hereby is denied.

Done at Frankfort, Kentucky, this 14th day of August, 1990.

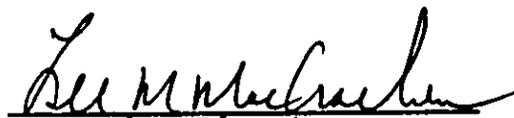
PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director